

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL ACTION NO.
)	2:07cr279-MHT
TIMOTHY TYRONE JOHNSON)	

ORDER

Based upon the representations made in open court on April 17, 2008, it is ORDERED as follows:

- (1) The court finds that there is "a fair and a just reason," Fed.R.Crim.P. 11(d)(2)(B), for allowing defendant Timothy Tyrone Johnson to withdraw his plea, in that defendant Johnson was not advised at the time of his plea that he was subject to the Armed Career Criminal Act, 18 U.S.C. § 924 (e)(1), and thus could receive a mandatory minimum sentence of not less than 15 years.
- (2) Defendant Johnson's motion to withdraw guilty plea (Doc. No. 23) is granted and his plea of guilty is withdrawn.

(3) The jury selection and trial of this cause are set for June 23, 2008, at 10:00 a.m. at the Frank M. Johnson, Jr. United States Courthouse Complex, Courtroom 2FMJ, One Church Street, Montgomery, Alabama, 36104.

DONE, this the 17th day of April, 2008.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE